



09-29-03

RCE/3761/17
3869/010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Michael Berthon-Jones et al.
SERIAL NO. : 09/661,998
FILING DATE : September 14, 2000
GROUP ART UNIT : 3761
EXAMINER : Joseph Weiss
TITLE : PATIENT VENTILATOR SYNCHRONIZATION USING
DUAL PHASE SENSORS

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OCT 02 2003
TECHNOLOGY CENTER R3700

TRANSMITTAL OF REQUEST FOR CONTINUED EXAMINATION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicant hereby transmits the following in:

- (1) Request for Continued Examination;
- (2) Amendment and Response to Office Action;
- (3) Supplemental Information Disclosure Statement with references;
- (4) fee transmittal in duplicate and a check in the amount of \$1680.00 for a three month extension and request for continued examination; and
- (5) an itemized return postcard.

It is believed that no additional fees are required for the above submissions. However, the Commissioner is authorized to charge any additional fees that may be required, or to credit any overpayment, to our Deposit Account No. 07-1730. A duplicate transmittal page is provided for this purpose.

I hereby certify that the foregoing documents are being deposited with the United States Postal Service, Express Mail, Post Office to Addressee in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on the date below. (Express Mail label: EV 225385761 US)

GOTTLIEB, RACKMAN & REISMAN, P.C.
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Raymond B. Churchill, Jr. Reg. No. 44,617

Dated: September 26, 2003



PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$1,680.00)

Compleat if Kn wn

Application Number 09/661,998
Filing Date September 14, 2000
First Named Inventor BERTHON-JONES et al.
Examiner Name Joseph F. WEISS, Jr.
Group Art Unit 3761
Attorney Docket No. 3869/010

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TECHNOLOGY CENTER R3700

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 07-1730
Deposit Account Name

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
101 710	201 355	Utility filing fee
106 320	206 160	Design filing fee
107 490	207 245	Plant filing fee
108 710	208 355	Reissue filing fee
114 150	214 75	Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$0.00)

2. EXTRA CLAIM FEES

Extra Claims Fee from below Fee Paid
Total Claims 20** = 0 x 18.00 = 0.00
Independent Claims 3** = 0 x 84.00 = 0.00
Multiple Dependent Claims =

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	930.00
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 130	123 130	Petitions related to provisional applications	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	750.00
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$1680.00)

SUBMITTED BY

Name (Print/Type)	Raymond B. Churchill, Jr.	Registration No. (Attorney/Agent)	44,617	Telephone	212-684-3900
Signature				Date	September 26, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.